

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re Application of:

SCHRÖDER et al.

Serial No. 09/926,001

Filed: September 17, 2001

For: VACCINE COMPOSITION

Group Art Unit: 1645

Examiner: FORD

TERMINAL DISCLAIMER

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

I, Richard E. Fichter, represent that I am the attorney of record for the above-identified application.

EUROCINE AB (hereinafter referred to as "Assignee") is the owner of the entire right and title to the above-captioned patent application and the invention and improvements therein disclosed for the United States, by virtue of an assignment from the inventors to EUROCINE AB dated August 13 and August 20, 2001, recorded on Reel 012218, Frame 0992 on September 17, 2001. Assignee is also owner of the entire right and title to co-pending U.S. Patent Application No. 09/926,002, filed on August 30, 2001, by virtue of the assignment from the inventors to EUROCINE AB dated August 13 and August 20, 2001, recorded on Reel 012203, Frame 0503 on September 25, 2001.

The terminal part of any patent granted on the above-captioned application which would extend beyond the expiration date of the full statutory term of any U.S. Patent issuing on 09/926,001 is hereby disclaimed. Any patent granted on the above-captioned application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to the co-pending U.S. Patent Application No. 09/926,002 and any patent issuing thereon, this agreement to run with any patent on the above-captioned application to be binding upon the grantee, its successors or assigns.

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(N.E.)

However, no rights available under the provisions of 35 U.S.C. §§155 and 156 are hereby waived.

No terminal part is disclaimed of any patent granted on the above-captioned application prior to the expiration date of the full statutory term of any patent issuing on co-pending U.S. Patent Application No. 09/926,002 in the event that it is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to the expiration of its statutory term, except for the separation of legal title stated above.

The Terminal Disclaimer fee of \$55.00 is submitted herewith. Please charge any additional fees or credit any overpayments in connection with this paper to Deposit Account No. 02-0200. A duplicate copy of this paper is enclosed.

I, Richard E. Fichter, hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine, or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the above-captioned patent.

Respectfully submitted,

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